

## Exhibit 5

Message

**From:** ex02@yuandacn.com [ex02@yuandacn.com]  
**Sent:** 3/17/2018 3:17:19 AM  
**To:** Pawel Lepkowski [PLejkowski@WhitestoneCC.com]; James Dearth [JDearth@WhitestoneCC.com]  
**CC:** 谭明华 [charles\_tan@126.com]; Phil Carvelas [pcarvelas@WhitestoneCC.com]; Steven Grzic [SGrzic@WhitestoneCC.com]; jason jia [junhuijia2002@yahoo.com]; ex02@yudancn.com [ex02@yuandacn.com]  
**Subject:** Re: Re: CUNY - Building movement @ WT-3 IMPORTANT  
**Attachments:** Attached.pdf

James/Pawel

Refer to attached.

Regards,

Yuan Yue

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ex02@yuandacn.com

发件人: [Pawel Lepkowski](#)

发送时间: 2018-03-17 10:34

收件人: [ex02@yuandacn.com](#); [James Dearth](#)

抄送: [谭明华](#); [Phil Carvelas](#); [Steven Grzic](#); [junhuijia2002](#)

主题: Re: 回复: RE: CUNY - Building movement @ WT-3 IMPORTANT

Thank you Yuan, we did receive the email but we couldn't view the attachment.

Regards,

Pawel

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: ex02@yuandacn.com

Date: 3/16/18 10:25 PM (GMT-05:00)

To: James Dearth <JDearth@WhitestoneCC.com>

Cc: 谭明华 <charles\_tan@126.com>, Phil Carvelas <pcarvelas@WhitestoneCC.com>, Steven Grzic <SGrzic@WhitestoneCC.com>, junhuijia2002 <junhuijia2002@yahoo.com>, Pawel Lepkowski <PLejkowski@WhitestoneCC.com>, ex02 <ex02@yuandacn.com>

Subject: 回复: RE: CUNY - Building movement @ WT-3 IMPORTANT

James,

Yesterday, in fact has been sent.

Regards,

Yuan Yue

ex02@yuandacn.com

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**From:** [James Dearth](#)  
**Date:** 2018-03-16 20:44  
**To:** [ex02@yuandacn.com](mailto:ex02@yuandacn.com)  
**CC:** [谭明华](#); [Phil Carvelas](#); [Steven Grzic](#); [jason jia](#); [Pawel Lepkowski](#)  
**Subject:** RE: RE: CUNY - Building movement @ WT-3 IMPORTANT

Yuan,

Thanks for the response but no drawing was attached.

Kindly forward drawing as soon as time allows.

Regards,

James Dearth  
Project Manager  
Whitestone Construction Corp.  
50-52 49<sup>th</sup> Street  
Woodside, NY 11377  
Tel: 718-392-1800  
Cell: 347-395-7028  
Fax: 718-392-6262

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**From:** [ex02@yuandacn.com](mailto:ex02@yuandacn.com) [mailto:[ex02@yuandacn.com](mailto:ex02@yuandacn.com)]  
**Sent:** Friday, March 16, 2018 3:45 AM  
**To:** James Dearth  
**Cc:** [谭明华](#); [Phil Carvelas](#); [Steven Grzic](#); [jason jia](#); [Pawel Lepkowski](#); [ex02@yudancn.com](mailto:ex02@yudancn.com)  
**Subject:** 回复 : RE: CUNY - Building movement @ WT-3 IMPORTANT

James

Yes. Your understanding is correct. As described in RFI 1130, in the worst scenario the building movement would see 2.775" downwards movement maximum theoretically. However, that situation is very extreme, and the movement can be accommodated through the following three locations like you said:

1. To cancel the PP shims between SG09 and SG37, 1/4" movement can be accommodated.
2. Furthermore, some movement can be accommodated through the gap between aluminum channel and glass. The amount can be accommodated can be considered as 1/2" .
3. It can be accommodated through the slot in SG09. Theoretically it can accommodate 3/4" .

In summary, amount can be accommodated can reach 1/4" +1/2" +3/4" =1-1/2" , which is still a lot smaller than 2.775" the maximum building movement.

Therefore, Yuanda suggests to make the slot hole in SG09 longer until 2" to achieve the goal of accommodating building's movement completely, as indicated in the following drawing.

</□↑ >

Regards,

Yuan Yue

[ex02@yuandacn.com](mailto:ex02@yuandacn.com)

[ex02@yuandacn.com](mailto:ex02@yuandacn.com)

发件人：[James Dearth](#)

发送时间：2018-03-13 02:40

收件人：[ex02@yuandacn.com](mailto:ex02@yuandacn.com)

抄送：[谭明华](#); [Phil Carvelas](#); [Steven Grzic](#); [junhuijia2002](#); [Pawel Lepkowski](#)

主题：RE: RE: CUNY - Building movement @ WT-3 IMPORTANT

Yuan,

Kindly respond to the question below.

I believe we are extremely close to resolving this issue.

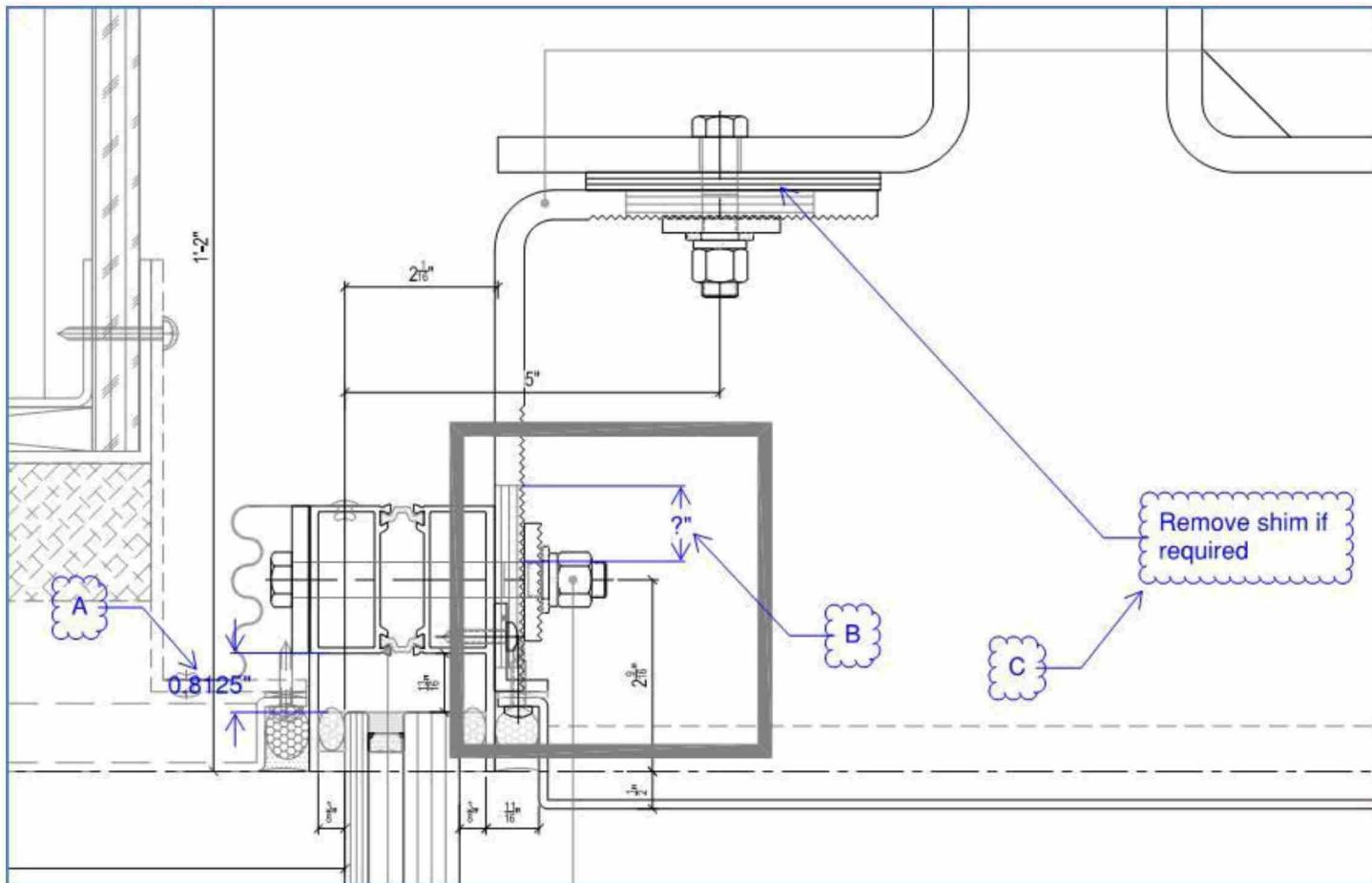
The WT-3 system should only need to absorb about -2.775" of downward vertical movement (from building above) considering that 50% of SDL has already occurred  $\{-3.4 - (-1.25/2)\} = -2.775"$  – please confirm my understanding is correct.

Theory:

The distance between the top edge of the LS06 bolt and top of the slot in the SG09 bracket would be one of the two limiting factors in absorbing the building movement (see "B"). Once the vertical slot length has been consumed, the system still has 0.8125" of movement capability between the top of glass and inside edge of AL51 extrusion (see "A"). If additional movement is required, depending on actual location of LS06 bolt in relation to the slot in SG09 bracket, some of the PP shim material can be removed between the SG09 and SG37 brackets adding to the capacity for vertical movement.

I feel that with the combination of everything outlined above, the proposed system remediation can come extremely close to absorbing the total theoretical movement specified. With some cooperation from the building engineer, I believe they can derive a more realistic movement criteria which the WT-3 wall system can accommodate.

Kindly provide Yuanda technical input so we can resolve this issue. We appreciate your continued support.



Regards,

James Dearth  
Project Manager  
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50-52 49<sup>th</sup> Street  
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Tel: 718-392-1800  
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Fax: 718-392-6262

**From:** James Dearth  
**Sent:** Tuesday, March 06, 2018 8:57 AM  
**To:** 'ex02@yuandacn.com'  
**Cc:** 谭明华; Phil Carvelas; Steven Grzic; junhuijia2002; Pawel Lepkowski  
**Subject:** RE: RE: CUNY - Building movement @ WT-3 IMPORTANT  
**Importance:** High

Yuan,

From the project documents including structural drawings, specifications and RFI's, could Yuanda (or anyone) have derived the relative movements between the two buildings and identified such a great difference in movement? In other words, is there enough information provided for one to identify the different building movements to the point where we should have asked the question to define the difference?

We need to find facts and define a time line showing the design omission in order to have the client bear the cost of the remediation activity.

Regards,

James Dearth  
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50-52 49<sup>th</sup> Street  
Woodside, NY 11377  
Tel: 718-392-1800  
Cell: 347-395-7028  
Fax: 718-392-6262

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**From:** [ex02@yuandacn.com](mailto:ex02@yuandacn.com) [mailto:[ex02@yuandacn.com](mailto:ex02@yuandacn.com)]  
**Sent:** Monday, February 26, 2018 2:18 AM  
**To:** James Dearth <[JDearth@WhitestoneCC.com](mailto:JDearth@WhitestoneCC.com)>  
**Cc:** 谭明华 <[charles\\_tan@126.com](mailto:charles_tan@126.com)>; Phil Carvelas <[pcarvelas@WhitestoneCC.com](mailto:pcarvelas@WhitestoneCC.com)>; Steven Grzic <[SGrzic@WhitestoneCC.com](mailto:SGrzic@WhitestoneCC.com)>; junhuijia2002 <[junhuijia2002@yahoo.com](mailto:junhuijia2002@yahoo.com)>; Pawel Lepkowski <[Plepkowski@WhitestoneCC.com](mailto:Plepkowski@WhitestoneCC.com)>; ex02 <[ex02@yuandacn.com](mailto:ex02@yuandacn.com)>  
**Subject:** 回复: RE: CUNY - Building movement @ WT-3 IMPORTANT

James

When Yuanda making the PMU, I communicated with WCC for several times about the displacement issue of each system. In the email communication, it said that the vertical displacement of WT3 system was not considered in the PMU. In subsequent communication, WCC did not ask about the vertical displacement of WT3 system. In 2017, when the email talked about this issue, Yuanda had fabricated and shipped out all materials for WT3 system, and I thought that WCC should have completed the installation of the WT3 material at that time.

If following the architect's comment, please see the details which indexed A351 and A352 in the A320.

1. Just the glass rib connections at the top are adjustable, the rest positions are fixed, and such kind of situation will cause most glass rib can't be installed, even though a small part can be installed, in the later use process due to the asynchronous deformation of the system, which will cause the damage of the glass rib. Therefore, the system we used is that the upper end of glass rib is fixed and lower end is adjustable.
2. With respect to the conflict between the stainless steel plate and bracket, WCC can refer to the fabrication drawings of stainless steel plate previously provided by Yuanda, at the steel bracket position, the aluminum angle is disconnected, and the stainless steel flange is also notched at this position, the purpose is to avoid the conflict between the stainless steel plate and bracket. In the current structure form, the steel bracket move down 1/2" has no problem, if you want to move more, the only result is the bottom of the bracket contact with the top of the sealant, and the sealant stretch down a bit.

We hope WCC could also have a analysis on above explanation.

Best Regards,  
Yuan Yue

[ex02@yuandacn.com](mailto:ex02@yuandacn.com)

发件人: [James Dearth](#)  
发送时间: 2018-02-14 05:46  
收件人: '[ex02@yuandacn.com](mailto:ex02@yuandacn.com)'  
抄送: [谭明华](#); [Phil Carvelas](#); [Steven Grzic](#); ['jason jia'](#); [Pawel Lepkowski](#)  
主题: RE: 回复: CUNY - Building movement @ WT-3 IMPORTANT

Yuan,

The relative building movement has become a substantial issue that needs to be addressed as soon as possible. Kindly respond to the questions below.

1. During the design phase of the WT-3 wall system, was the worst case combination of the independent movements of the two buildings taken into consideration? If so, please indicate on which page(s) of the approved calculation indicate that analysis.
  - a. Note: This exercise is required per specification (084426.1.03.B.3.a)
  - b. Detail 3/A-351.00 clearly shows the glass at the clerestory curb dead loaded on the sill extrusion
  - c. Detail 1/A-351.00 shows a connection between extrusion and structure with a slotted connection that could potentially indicate that its design intent is for vertical movement.
    - i. Why was a different extrusion profile provided on the project that did not allow for vertical movement at the top connection between the steel and aluminum extrusion?
2. In your email below you state that the system movement was specified and provided to Yuanda for wall types WT1 and WT-8. Were the movement criteria provided for WT-3 (other than in 2017)? (see below in yellow)
  - a. If the movement criteria was provided in the 084426 specification or other form of communication like an RFI, kindly advise what the provided movements criteria for the WT-3 wall system was and how the information was provided to Yuanda.
3. See page 3 of 6 on building movement package showing Yuanda proposed connection fix (D331). Proposed fix will not work due to continuous interior SS cladding conflicting with SG09 bracket during building movements
  - a. See pages 4 thru 6 for other design concepts that may work.

We obviously want to resolve this issue without any remedial work to the building as it is complete in this area. If there is any way Yuanda can prove that the system is able to accommodate the movement or a timeline explaining why it doesn't, that would greatly help the situation.

Please respond as soon as time allows to this urgent matter. We need to resolve this issue very soon due to the building occupancy certificate dependent on this resolution.

Regards,

James Dearth  
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Fax: 718-392-6262

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**From:** [ex02@yuandacn.com](mailto:ex02@yuandacn.com) [mailto:[ex02@yuandacn.com](mailto:ex02@yuandacn.com)]  
**Sent:** Wednesday, March 22, 2017 5:13 AM  
**To:** Paweł Lepkowski <[PLejkowski@WhitestoneCC.com](mailto:PLejkowski@WhitestoneCC.com)>  
**Cc:** 谭明华 <[charles\\_tan@126.com](mailto:charles_tan@126.com)>; Phil Carvelas <[pcarvelas@WhitestoneCC.com](mailto:pcarvelas@WhitestoneCC.com)>; James Dearth <[JDearth@WhitestoneCC.com](mailto:JDearth@WhitestoneCC.com)>; ex02 <[ex02@yuandacn.com](mailto:ex02@yuandacn.com)>  
**Subject:** 回复: 回复: CUNY - Building movement @ WT-3

Sorry, Forget the attachment.

Best Regards,  
Yuan Yue

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[ex02@yuandacn.com](mailto:ex02@yuandacn.com)

发件人: [ex02@yuandacn.com](mailto:ex02@yuandacn.com)  
发送时间: 2017-03-22 16:40  
收件人: [pawel\\_lepkowski@yuandacn.com](mailto:pawel_lepkowski@yuandacn.com)  
抄送: 谭明华; PHIL; jdearth; ex02  
主题: 回复: RE: CUNY - Building movement @ WT-3

Dear Paweł,

If the main structure's displacement has reached 3.4", it is indeed too big, far exceeding the displacement that would happen in main structure of normal projects.

However, Yuanda's design and calculation to this system were based on the specification requirements provided to Yuanda in the earlier stage of this project (in reference to 0.763" of WT1 displacement and 0.71" of WT8 displacement). When the curtain wall was being installed, the installation of main structure of the auditorium has completed long time ago, which means displacement of main structure has occurred when the curtain wall was being installed. But under normal condition, curtain wall are not to be installed according to the relative location to structure, but to the structure elevation; so even if there is certain displacement in the main structure during curtain wall installation, as long as the installation was based on the structural elevation, it means the system has absorbed the displacement of main structure occurred previously. Therefore, we think there wouldn't be any problem with our curtain wall system.

Since the amount of displacement in the future is not able to be determined, now the serrated pad in the detail needs to be installed in the other direction, so that the aluminum frame and steel bracket will not be locked together but can occur with sliding when there is certain displacement. Through this way, even if there would be small amount of settlement and displacement, there wouldn't be any problem. But if it is not acceptable to the consultant, or there would be large displacement, then the only way is to change the connecting system on the upper part.

Furthermore, dead load  $\Delta$ SDL deformation 1.25 has reached 50% currently. Is it accurate? Also, the live load  $\Delta$ LL deformation has reached 2.15", Yuanda thinks that value is too large. Is there to be a displacement of this amount really? Since both interior side and exterior side are roof, there would be only small amount of live load under normal condition. So that value can be decreased, and that needs to be discussed with the consultant.

Best Regards,  
Yuan Yue

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[ex02@yuandacn.com](mailto:ex02@yuandacn.com)

发件人: [Pawel Lepkowski](#)  
发送时间: 2017-03-22 05:07  
收件人: [Ex02](#)  
抄送: [谭明华](#); [Phil Carvelas](#); [James Dearth](#)  
主题: RE: CUNY - Building movement @ WT-3

Dear Yuan,  
We have a meeting with Architect this coming Thursday, one of the main items of concern is building movement, for that reason we need your response by tomorrow so that we can go over it internally prior to meeting on Thursday. Please provide.

Thank you,  
Pawel

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**From:** James Dearth  
**Sent:** Thursday, March 9, 2017 3:26 PM  
**To:** Ex02  
**Cc:** 谭明华 ; Pawel Lepkowski ; Phil Carvelas  
**Subject:** CUNY - Building movement @ WT-3  
**Importance:** High

Yuan/Charles,  
Please review this condition and advise if system can accommodate building movement.

We need resolution to this ASAP.

Regards,  
James Dearth

Project Manager  
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50-52 49<sup>th</sup> Street  
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